

NEVADA DIVISION OF ENVIRONMENTAL PROTECTION

F A C T S H E E T
(Pursuant to NAC 445A.236)
November 2003

PERMITTEE NAME: US AVESTOR LLC

MAILING ADDRESS: Post Office Box 364299
North Las Vegas, Nevada 89036

PERMIT NUMBER: NEV89052

DISCHARGE LOCATION: US AVESTOR LLC, Apex Facility
11101 US Highway 93 North
Apex, Clark County, Nevada 89124

Latitude: 36°23'15" North
Longitude: 114°55'45" West

Township 18 South, Range 63 East, Section 15 MDB&M

FLOW:

Outfall 001:	Cooling Tower Bleed for Reuse Irrigation
Outfall 002:	Water to Pond
Outfall 003:	Administration Building Domestic Wastewater to Groundwater (septic)
Outfall 004:	Change house Domestic Wastewater to Groundwater (septic)
Outfall 005:	Maintenance/Warehouse Domestic Wastewater to Groundwater (septic)
Outfall 006:	Lithium Vanadium Oxide Building Domestic Wastewater to Groundwater (septic)
Outfall 007:	Technical Service Center Domestic Wastewater to Groundwater (septic)
Outfall 008:	Quality Control (QC) laboratory Building Domestic Wastewater to Groundwater (septic)
Outfall 009:	Research and Development Building Domestic Wastewater to Groundwater (septic)
Outfall 010:	Advanced Pilot Plant Building Domestic Wastewater to Groundwater (septic)

GENERAL:

Kerr-McGee Chemical LLC developed the subject facility on approximately 3,249 acres of land in approximately 1992 to store and cross blend ammonium perchlorate (AP). When US AVESTOR purchased the property and improvements in 2002, AP operations had been discontinued and all stored product had been removed from the site. AVESTOR is a manufacturing company that specializes in the production of Lithium Vanadium Oxide (LVO), which is used in the battery manufacturing industry. Although the facility is not currently actively manufacturing LVO product, operational redesigns and retrofits are planned to convert and augment existing improvements for scheduled use in the LVO production process.

The LVO production process is a dry process that is extremely moisture sensitive for successful production. Therefore, proposed discharges are, by necessity, non-contact discharge fluids. Under current design specifications, the only discharge associated with manufacturing processes is/will be a low-flow bleed stream from the operation of a cooling tower, Outfall 001. This cooling water is circulated only through cooling jackets in the production process to facilitate heat transfer without corrupting the product.

When manufacturing operations begin, storm water and firewater from the pad around the LVO building, compressor condensate, inorganic test solutions, facility wash water, potential wash water and scrubber water

from the test pad at the Technical Service Center (TSC), and possibly cooling tower bleed can or will be diverted into a detention pond (Outfall 002) located adjacent to the LVO production building. The pond is double-lined with High Density Polyethylene (HDPE) and equipped with a leak detection system. Design drawings or specifications detailing the construction of the existing pond cannot be located at the facility. Therefore, before fluids are discharged to the pond, the construction specifications of the pond must be confirmed or the pond will be rehabilitated to re-establish current and applicable construction specifications and the efficacy of the leak detection system.

The pad surrounding the LVO building is designed to direct runoff from the building and/or surrounding paved areas into the pond. Accumulated water is not treated and will be allowed to evaporate without further discharge; however, periodic analysis of accumulated water is required to profile fluid characteristics. Potential wash water and scrubber water from the new TSC test pad is directed to a temporary sump where it is pumped and transferred by truck to the evaporation pond. Any water transferred or diverted into the pond is required to be non-hazardous based on the Resource Conservation and Recovery Act (RCRA) definitions and provisions in the discharge permit prohibit the accumulation of any hazardous waste in the evaporation pond.

The facility currently uses four (4) septic systems associated with various operations buildings. The capacity of each individual system ranges from 1,000 to 2,500 gallons, and up to four additional septic systems will be added to accommodate a new Technical Service Center, QC laboratory building, a research and development (R&D) facility, and an advanced pilot plant (APP). These additional systems are projected to be installed in phases as the facility expands. In addition, the septic system associated with the administration building and change house may be enlarged when production commences.

Considering projected expansion plans, a total of up to eight (8) leach field discharges are included in the proposed permit as Outfalls 003 through 010. The existing four (4) systems are immediately subject to monitoring under the proposed permit, however, monitoring of the septic systems associated with the TSC, the QC laboratory, the R&D facility, and the APP will be phased into effect over the duration of the proposed permit to coincide with the completed construction and use of these prospective systems. Permit applications for each of these new systems and the associated leach pads must be submitted to the Bureau of Water Pollution Control (BWPC) and be approved by the BWPC prior to use. Discharge from these systems is not authorized under the conditions of the discharge permit and is expressly prohibited until BWPC has approved the design and installation specifications of these new systems.

Projected facility expansions also include the potential integration of a water treatment system to treat and recycle wastewater impacted with inorganic reagents (acids, bases, salts, metal compounds, and reagent indicators) or materials discharged from the QC laboratory, pilot plant operations, or other R&D facilities. Use of the treatment system is intended to optimize water resources and minimize the volume of water discharged to the pond. Water treated using this system is permitted to be discharged to the evaporation pond, but conditioned upon adequate documentation and BWPC concurrence of a functional and effective leak detection or monitoring system that ensures the sustained integrity of the pond.

A schedule of compliance item requiring construction specifications to be submitted to the Nevada Division of Environmental Protection Bureau of Water Pollution Control (Division) for review, and if acceptable, approval prior to use of the pond and the TSC test pad has been included in the proposed permit to ensure adequate containment of discharged fluids. Discharge of treated water to the pond is permissible only as a zero discharge condition and only non-hazardous wastes may be discharged for evaporation.

RECEIVING WATER CHARACTERISTICS:

The proposed project site is located in the Garnet hydrographic area, which includes the Dry Lake Valley basin. Historic data on file indicates that the average annual precipitation in the subject area is approximately 4 inches, with precipitation typically occurring in short, high intensity intervals. The depth to groundwater in the on-site water production well is approximately 578 feet below grade surface (bgs), corresponding to approximately 1814 feet above mean sea level (amsl). The on-site well elevation is 2391.77 feet amsl. The general direction of local

groundwater flow is from west to east and northeast, similar to surface drainage patterns.

Two other active wells, owned by Duke Energy, have been identified within one mile of the discharge. These wells are listed in the Nevada Division of Water Resources database as having total depths of 685 and 2020 feet, with static water levels of 426 and 431 feet bgs, respectively.

Historic information on file indicates that groundwater is generally of good quality, although elevated concentrations of total dissolved solids (TDS), iron, and manganese have been quantified above secondary drinking water standards. Since this water is used for cooling water in the production process, the elevated TDS concentration necessitates the discharge of bleed water from the cooling tower to manage salt build up.

Given the relative depth of the upper aquifer beneath the site, groundwater monitoring is not required. Discharge monitoring is considered sufficient to meter subsurface influence and assess subsurface sustainability with respect to a zero impact on groundwater. Should monitoring conditions suggest that negative groundwater impacts may be likely or imminent, additional discharge controls, groundwater monitoring, and/or wastewater management requirements may be instituted into the permit at that time.

DISCHARGE CHARACTERISTICS:

Maximum cooling tower discharge is designed to be 8 gallons per minute and is non-contact cooling water, Outfall 001. The chemical profile of the discharge is/will be similar to natural groundwater since the cooling water is supplied by the on-site well, but higher TDS concentrations are likely. The only anticipated additives are descalant and algae control inhibitors, which are generally categorized as alkaline pH adjusters. The discharge is proposed to be used for landscape irrigation, and adverse impact to groundwater is not considered likely given the relatively low volume, plant uptake, the high evapotranspiration rate in the area, and the depth to groundwater. A pH discharge limitation is proposed to ensure that the cooling tower discharge exhibits a pH in a neutral range. When the R&D and APP circuits are operational, this discharge or a portion of this discharge may be routed through a 'central wastewater treatment' system to allow this water to be recycled.

Stormwater and firewater runoff from the LVO building, inorganic test solutions, and wash water containing inorganic reagents/materials will be diverted to the containment/evaporation pond that has a capacity of approximately 0.9 acre-feet (Outfall 002). If practical, and as a secondary option, reverse osmosis system backwash and compressor condensate may also be discharged to the pond under Outfall 002, however, the primary discharge of these fluids is anticipated to be to septic system leachfields. Accumulated wastewater is not treated and remains in the pond until evaporated. There is a valved discharge line that can allow the release of water to the desert floor, however, the valve is locked in a closed position under normal circumstances, and only in cases of uncontrolled emergency might a discharge occur.

Up to eight (8) septic systems associated with various buildings and facilities throughout the site discharge wastewater to individual leach fields. Daily discharge flow is limited to the septic tank capacity for each system. The unique designation and system capacity, if available, for each of the septic systems existing or planned is as follows:

<u>Designation</u>	<u>System Size (gallons)</u>
Maintenance/Warehouse Building	1,000
Administration/Security Building	1,500
LVO Building	1,000
Change House Building	2,500
Test Service Center	Pending (est. 1,500)
QC laboratory	Pending (est. 3,000)
Research & Development Building	Pending (est. 7,900)
Advanced Pilot Plant	Pending (est. 3,700)

est. = estimated size based on current plans for build out.

System sizes are subject to change based on the future build out of the site. In particular, plans for redesigning the operation currently specify upgrading the capacity of the Change house building septic system to 4,000 gallons, and possibly the Administration/Security Building to 2,500 gallons, to accommodate the increase in site employees. Any changes to existing or planned septic systems are all subject to application and approval by the BWPC prior to implementation into functional use. No discharge may occur from a septic system that has been altered to conflict with approved design specifications as mandated in the narrative permit conditions specified in Permit NEV89052.

Septic discharges include domestic wastewater from sinks, toilets, showers, floor drains, and washing machines. In addition, brine from relatively small reverse osmosis (RO) units and compressor condensate (about 4 gallons per hour) may also discharge to groundwater through associated septic systems. The RO units used on site treat a slip-stream of water pumped from the on-site well for use as potable water. These units are not used to treat waste materials, but simply treat well water to remove elevated concentrations of TDS (slightly above 1,000 mg/L to less than 1,000 mg/L) for potable uses. Additional RO units may be added in laboratory or research facilities to generate high purity water for analytical uses, however, the amount of water treated, and hence the discharge, is expected to be nominal (perhaps 20-50 gallons per day).

Effluent discharges from the reverse osmosis units and compressor condensate are authorized for discharge through the septic system because they do not contact process chemicals or constituents and are only derived by the mechanical operation of exclusive pieces of equipment. The flow contribution of these effluent discharges to the respective septic systems is relatively minimal, and considering the combined domestic flow and the depth to groundwater, discernible or measurable influences on groundwater are regarded as unlikely. Furthermore, this discharge is eligible for land application and percolation to groundwater due to the relatively benign nature of the constituent concentrations, and therefore, discharge through the leachfield is considered an equivalent mechanism. For purposes of conservative affirmation, compliance with the Unified Plumbing Code Section 714, which specifies the types of materials that are prohibited from discharge through a septic system, has been instituted in to the narrative conditions of the permit to ensure proper discharge characteristics.

The septic systems for the change house, the maintenance/warehouse, and the LVO building each include an oil water separator (OWS) configured along a parallel discharge line that ties into the main septic line before the septic tank. These intermediate OWS systems have been operated under the existing permitted septic system design specifications to intercept floor drain discharges and serve as precautionary treatment prior to septic separation and discharge. Discharge conditions for these OWS units, and units that may be installed with septic systems for the TSC, the QC laboratory, the R&D facility, and the APP, include monitoring for total petroleum hydrocarbons to ensure the proper operation and maintenance of each OWS.

PROPOSED LIMITATIONS:

Proposed limitations are designed to verify the constituent composition of effluent discharges and control discharge parameters to protect groundwater resources in a preemptive manner that averts the need to physically monitor groundwater for confirmation purposes.

During the period beginning on the effective date of this permit and lasting until the permit expires, the Permittee is authorized to discharge from:

- | | |
|---------------------|---|
| Outfall 001: | Cooling Tower Bleed for Reuse Irrigation |
| Outfall 002: | Water to Pond |
| Outfall 003: | Administration Building Domestic Wastewater to Groundwater (septic) |
| Outfall 004: | Change House Domestic Wastewater to Groundwater (septic) |
| Outfall 005: | Maintenance/Warehouse Domestic Wastewater to Groundwater (septic) |
| Outfall 006: | Lithium Vanadium Oxide Building Domestic Wastewater to Groundwater (septic) |
| Outfall 007: | Test Service Center Domestic Wastewater to Groundwater (septic) |
| Outfall 008: | Quality Control Laboratory Building Domestic Wastewater to Groundwater (septic) |
| Outfall 009: | Research and Development Building Domestic Wastewater to Groundwater (septic) |

Outfall 010: Advanced Pilot Plant Building Domestic Wastewater to Groundwater (septic)

Effluent samples and/or measurements taken in compliance with the monitoring requirements specified below shall be collected at:

Outfall 001: The discharge of the LVO process cooling tower prior to reuse irrigation,

Outfall 002: From/at the detention pond.

Outfalls 003-010: At the discharge of each septic tank prior to discharge to the leach field at each Outfall location, and/or:

Oil Water Separators: At the discharge of each oil water separator prior to integration with domestic discharges. Outfalls 004, 005, and 006 and any other OWS system installed in association with prospective septic systems must be sampled and results reported in accordance with the discharge limitations specified.

Intake Water: From the supply water from the on-site well.

Industrial Effluent Discharge Limitations

The discharge of wastewater from Outfall 001 and Outfall 002 shall be limited and monitored as follows:

INDUSTRIAL EFFLUENT DISCHARGE LIMITATIONS

PARAMETER ¹	MONITORING LOCATION	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS	
		30-Day Average	Daily Maximum	Measurement Frequency	Sample Type
Discharge Flow (gpd)	Outfall 001	12,000	Monitor & Report	Weekly	Flow Meter/ Totalizer
Freeboard (feet)	Outfall 002	At least 2 feet of freeboard at all times		Weekly	Gage/Visual
Pond Inspection (gallons of fluid collected)	Outfall 002	Monitor & Report	Monitor & Report	Weekly	Measurement
pH (SU)	Outfall 001	6 to 9	9	Quarterly	Discrete
	Outfall 002	6 to 9	9	Weekly	Discrete (field instrument)
Total Dissolved Solids (mg/L)	Outfall 001	----	Monitor & Report	Quarterly	Discrete
	Outfall 002	----	Monitor & Report	Quarterly	Discrete
	Intake Water	----	Monitor & Report	Semi-Annually ²	Discrete
Lithium (mg/L)	Outfall 002	----	Monitor & Report	Quarterly	Discrete
Vanadium (mg/L)	Outfall 002	----	Monitor & Report	Quarterly	Discrete
Profile I, Lithium, and Vanadium ³	Intake Water	----	Monitor & Report	Annually	Discrete

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PARAMETER ¹	MONITORING LOCATION	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS	
		30-Day Average	Daily Maximum	Measurement Frequency	Sample Type
Total Petroleum Hydrocarbons, purgeable (mg/L)	Outfall 002	----	Monitor & Report	Annually	Discrete
Total Petroleum Hydrocarbons, extractable (mg/L)	Outfall 002	----	Monitor & Report	Annually	Discrete

- 1 Parameters and/or monitoring frequencies may be removed or reduced, using the procedures for a minor modification at the discretion of the Division, based on a petition from the Permittee sufficiently demonstrating that the quality or characteristics of the parameters examined do not and will not affect groundwater.
 - 2 During second and fourth quarters. Include results in the second quarter discharge monitoring report and in the fourth quarter annual report. TDS concentrations analyzed in the fourth quarter can be reported with the Profile I results since it is a constituent of the Profile I analytical list.
 - 3 Profile I list of analytes included in Attachment 1.
- gpd: Gallons per day
 SU: Standard units
 mgd: Million gallons per day
 mg/L: Milligrams per liter

Rationale:

Flow:

Discharge flow for reuse irrigation is limited to the design discharge of the cooling tower system, and the discharge flow to the pond is limited by freeboard requirements.

Freeboard:

The discharge condition to maintain at least 2 feet of freeboard, measured and recorded weekly, is required to ensure proper use and operation of the pond, and as a functional limitation for discharge flow to the ponds.

Pond Inspection:

The pond is required to be double-lined with a leak detection system in order to receive fluids that contain inorganic residuals from reagents and wash or rinse water used for various housekeeping, production, or research purposes. The permitted containment and evaporation of these fluids is predicated on a zero discharge condition that is regularly confirmed by physical inspection and evacuation of the leak detection system. Therefore, the volume of fluid observed and evacuated from the system on a weekly basis must be recorded and reported as a function of both the 30-day average and the daily maximum, meaning the maximum volume observed on any one day in which an inspection occurred.

pH, TDS, Lithium, Vanadium, and Total Petroleum Hydrocarbons:

Periodic monitoring for these parameters is necessary to evaluate the typical profile of wastewater that is contained for evaporation. These monitoring parameters are also relevant as a direct and indirect indicator of proper materials management in the area surrounding the LVO building and through ancillary systems that may discharge to the pond.

Profile I, Lithium, and Vanadium

Analysis for the Profile I compounds in intake water is required annually to provide contemporary data that can be used to compare septic system discharge concentrations.

Septic System(s) Discharge Limitations

The discharge of process water from Outfall 003 through Outfall 010 shall be limited and monitored as follows:

SEPTIC SYSTEM(S) DISCHARGE LIMITATIONS

PARAMETER ¹	MONITORING LOCATION ²	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS	
		30-Day Average	Daily Maximum	Measurement Frequency	Sample Type
Total Nitrogen as N (mg/L)	Outfall 003 - 010	----	Monitor & Report	Quarterly	Discrete
Nitrate as N (mg/L)	Outfall 003 - 010	----	Monitor & Report	Quarterly	Discrete
pH (SU)	Outfall 003 - 010	6 to 9	9	Quarterly	Discrete
Lithium (mg/L)	Outfall 004 - 010	----	Monitor & Report	Quarterly	Discrete
Vanadium (mg/L)	Outfall 004 - 010	----	Monitor & Report	Quarterly	Discrete
Total Dissolved Solids (mg/L)	Outfall 003 - 010	----	Monitor & Report	Semi-Annually ³	Discrete
Chlorides (mg/L)	Outfalls 008 & 009	----	Monitor & Report	Semi-Annually ³	Discrete
Sulfate (mg/L)	Outfalls 008 & 009	----	Monitor & Report	Semi-Annually ³	Discrete
Total Phosphate as P (mg/L)	Outfalls 008 & 009	----	Monitor & Report	Semi-Annually ³	Discrete
Potassium (mg/L)	Outfalls 008 & 009	----	Monitor & Report	Semi-Annually ³	Discrete
Manganese (mg/L)	Outfalls 008 & 009	----	Monitor & Report	Semi-Annually ³	Discrete
Acetone ⁴ (mg/L)	Outfalls 008, 009, & 010	----	Monitor & Report	Annually	Discrete
2-Butanone ⁴ (Methyl ethyl ketone, mg/L)	Outfalls 008, 009, & 010	----	Monitor & Report	Annually	Discrete
Toluene ⁴ (mg/L)	Outfalls 008, 009, & 010	----	Monitor & Report	Annually	Discrete
Methanol ⁴ (mg/L)	Outfalls 008, 009, & 010	----	Monitor & Report	Annually	Discrete
Profile I ⁵	Outfalls 008, 009, & 010	----	Monitor & Report	Annually	Discrete
Total Petroleum Hydrocarbons, extractable (mg/L) ⁶	Oil Water Separators (Outfalls 004-006)	----	20	Quarterly	Discrete

¹ Parameters and/or monitoring frequencies may be removed or reduced, using the procedures for a minor modification at the discretion of the Division, based on a petition from the Permittee sufficiently demonstrating that the quality or characteristics of the parameters examined do not and will not affect groundwater.

² Monitoring for Outfalls 007, 008, 009, and 010 deferred until septic systems are operational.

- 3 During second and fourth quarters. Include results in the second quarter discharge monitoring report and in the fourth quarter annual report. May be reported with the Profile I analytical results, as applicable, during the 4th quarter.
- 4 Using EPA Method 8015B or 8260. Analysis to be conducted in the 4th quarter and reported in the 4th quarter annual report.
- 5 Profile I list of analytes included in Attachment 1.
- 6 If additional oil water separators are installed with prospective septic systems, the Permittee must identify the installation and use of the additional oil water separator(s) on the Discharge Monitoring Report for the quarter in which operation began. Regular monitoring and compliance sampling must be conducted in accordance with the sampling requirements for this parameter from the commencement of operation throughout the duration of use.

gpd: Gallons per day
<: Less than
as N: As nitrogen
as P: As phosphorus
SU: Standard Units
mg/L: Milligrams per liter

Rationale:

Total Nitrogen, Nitrate, and Total Dissolved Solids:

These parameters are monitored to demonstrate system function and to allow a determination of mass loading to the leach field and subsurface environment, if necessary.

pH, Lithium, and Vanadium:

Limitations and/or monitoring requirements for these parameters are required to illustrate and/or confirm the absence of industrial discharges through the septic system(s).

Chlorides, Sulfate, Phosphate, Potassium, and Manganese:

Periodic analyses for these compounds are only required for the septic discharge associated with the QC laboratory, the R&D, and the APP septic systems. These analytes are included as sentinel compounds to demonstrate that QC laboratory and R&D reagents or wastes are not discharged through the septic systems.

Acetone, 2-Butanone (methyl ethyl ketone), Methanol, and Toluene

Annual analysis for these constituents is required only for the septic discharges associated with the QC laboratory, the R&D building, and the APP septic systems to confirm the absence of inadvertent release. Application documentation specifies the listed organic solvents, and hexane, as those likely to be used in QC laboratory, research, or prototype functions. Since these 4 compounds can be quantified relatively easily and succinctly using a single analytical procedure such as EPA Method 8260 or 8015B, the absence of these solvents in discharge samples is considered sufficiently indicative of the absence of solvent compounds in general. Narrative conditions for reporting reagent inventories on an annual basis have been included in the proposed permit for periodic confirmation that these solvent analyses remain sufficient to represent the absence of organic compounds in the discharge.

Profile I:

An annual assessment of the Profile I analytes (Attachment 1) is required for a comprehensive confirmation of the absence of common metals and inorganic compounds in the septic discharges associated with the individual facilities with the most potential for inadvertent cross contamination to the septic systems.

Total Petroleum Hydrocarbons:

This limitation is required to ensure the proper operation and maintenance of the OWS systems that subsequently discharge into associated septic systems.

SCHEDULE OF COMPLIANCE:

The Permittee shall implement and comply with the provisions of the permit upon issuance, and the following

schedule of compliance, after approval by the Administrator, including in said implementation and compliance, any additions or modifications the Administrator may make in approving the schedule of compliance.

- **Upon issuance of the permit**, the Permittee shall achieve compliance with all discharge limitations;
- **At least 30 days prior to the use of the TSC test pad and sump**, the Permittee shall submit building plans and specifications for the water management system for review, and if sufficient, approval by the Division. Use of wash water at the test pad may not commence until the Division has reviewed and approved the construction specifications.
- **At least 90 days prior to the use of the evaporation pond**, the Permittee shall submit documentation confirming the construction specifications and integrity of the evaporation pond and leak detection system for review, and if sufficient, approval by the Division. Use of the pond may not commence until the Division has reviewed and approved the construction specifications of the pond and leak detection system.
- **Within 120 days of the permit effective date (date)**, the Permittee shall submit an Operations and Maintenance (O&M) manual that, at a minimum, also includes:
 - (1) A detailed description of the sampling and analysis protocols, procedures, and methods used for monitoring;
 - (2) Specifications and/or maps illustrating any areas subject to irrigation using discharged cooling water;
 - (3) Facility maps illustrating significant structures and the location of each leach field;
 - (4) A maintenance protocol and schedule for the OWS systems and the septic systems;
 - (5) Transfer procedures for wash water collected in the sump at the TSC building and transferred to the evaporation pond (e.g. storage time in the sump and transfer mechanism); and
 - (6) O&M procedures or protocols relevant to the detention/evaporation pond.

The O&M manual will be incorporated into the conditions of the permit by reference, and any changes to the facility or any of the submittals required for the O&M manual must be approved by the Division prior to implementation.

PROPOSED DETERMINATION:

The Division has made the tentative determination to issue (renew) the proposed permit, under the provisions prescribed, for a 5-year period. In accordance with Nevada Administrative Code 445A.232, this discharge is classified as a *Discharge from Remediation, Dewatering, other than a discharge to ground water from the dewatering of a mine, or from a Power Plant, A Manufacturing or Food Processing Facility or Any Other Commercial or Industrial Facility – Less than 50,000 gallons of process water daily.*

PROCEDURES FOR PUBLIC COMMENT:

Notice of the Division's intent to issue a permit authorizing the facility to discharge to ground water of the State of Nevada, subject to the conditions contained within the permit, is being sent to the **Las Vegas Review Journal** for publication. Notice is also mailed to interested persons on our mailing list. Anyone wishing to comment on the proposed permit can do so in writing for a period of 30 days following the date of the public notice, and must be postmarked, faxed, or E-mailed by 5:00 p.m. on **December 29, 2003**. The comment period can be extended at the discretion of the Administrator. A public hearing on the proposed determination can be requested by the Applicant, any affected state, any affected interstate agency, the Regional Administrator, or any interested agency, person, or group of persons. The request must be filed within the comment period and must indicate the interest of the person filing the request and the reason(s) why a hearing is warranted.

Any public hearing held by the Administrator will be conducted in the geographical area of the proposed discharge or any other area the Administrator determines to be appropriate. All public hearings will be conducted

in accordance with NAC 445A.238. The final determination of the Administrator may be appealed to the State Environmental Commission pursuant to NRS 445A.605.

Prepared by: Tamara J. Pelham
November 24, 2003
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